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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,619	01/30/2001	Steven J. Alt	1-36021	3016
4859	7590	12/10/2003		
MACMILLAN SOBANSKI & TODD, LLC ONE MARITIME PLAZA FOURTH FLOOR 720 WATER STREET TOLEDO, OH 43604-1619				
EXAMINER BALSIS, SHAY L				
ART UNIT 1744		PAPER NUMBER		

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<p style="text-align: center;"><b>Office Action Summary</b></p>	<b>Application No.</b> 09/772,619		<b>Applicant(s)</b> ALT, STEVEN J.	
	<b>Examiner</b> Shay L Balsis		<b>Art Unit</b> 1744	

-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4 and 7-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4 and 7-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
     1. ☐ Certified copies of the priority documents have been received.  
     2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

## DETAILED ACTION

### *Drawings*

1. The drawings were received on 8/11/03. These drawings are accepted.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 7-8, 11-12 and 16-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Kamada (USPN 5720073) in view of Sacks (USPN 5245724) and Kamada (USPN 5720073) in view of Rivin et al. (USPN 6003193).

Kamada teaches a mop bucket (80) and wringer apparatus (10) for wringing liquid from a mop. The wringer has an upwardly opening for receiving a mop and is defined by front, rear and side (50a, 50b) walls. There are passageways that are on some of the walls to allow liquid to pass through (figure 9). There is a rack (30) which pressure jaws (40) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided with slots (56a, 56b) for vertically guiding the rack. A pinion (20) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastic spring means (76) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. The rear wall of the wringer has a handle (14) attached thereto to which movement of the

handle starting the wringing process. The front wall of the bucket has a curved portion allowing for easy pouring. When the wringer is placed on three sides of the bucket a seal is formed preventing any leaking of liquid. Kamada teaches all the essential elements of the claimed invention however fails to teach that the spring is elastomeric.

Sacks teaches an apparatus for wringing mops that comprises an elastomeric plastic material as the biasing means. Sacks also teaches that the biasing means may be in the form of coil springs (col. 9, lines 49-54). Therefore it would have been obvious to use an elastomeric material as the biasing means in Kamada's invention since it has been held within the general skill of a worker in the art to select a know material on the basis of its suitability for the intended use as a matter of obvious engineering choice. *In re Leshin*, 125 USPQ 416.

Rivin et al. teaches a clutch comprising a coiled spring to allow movement between the shaft and gear. Another embodiment may comprise an elastomeric member as the biasing means (abstract). Since both a coiled spring and an elastomeric member have been taught to be interchangeable, it would have been obvious to use an elastomeric member as the biasing means in Kamada's invention. Additionally, it has been held within the general skill of a worker in the art to select a know material on the basis of its suitability for the intended use as a matter of obvious engineering choice. *In re Leshin*, 125 USPQ 416.

4. Claims 1, 4, 7-8, 11, 14 and 16-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Bard (USPN 2199906) in view of Sacks (USPN 5245724) and Bard (USPN 2199906) in view of Rivin et al. (USPN 6003193).

Bard teaches a mop bucket and wringer apparatus for wringing liquid from a mop (col. 3, lines 12-17). The wringer has an upwardly opening for receiving a mop and is defined by front,

rear and side walls (figure 1). There are passageways that are on some of the walls to allow liquid to pass through (figure 1). There is a rack (19) which pressure jaws (16) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided with slots (14) for vertically guiding the rack. A pinion (24) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastic spring means (26) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. The rear wall of the wringer has a handle (25) attached thereto to which movement of the handle starting the wringing process. The bottom wall of the wringer is of the stepped configuration (figure 1, element 11). When the wringer is placed on three sides of the bucket a seal is formed preventing any leaking of liquid. Bard teaches all the essential elements of the claimed invention however fails to teach that the spring is elastomeric.

Sacks teaches an apparatus for wringing mops that comprises an elastomeric plastic material as the biasing means. Sacks also teaches that the biasing means may be in the form of coil springs (col. 9, lines 49-54). Therefore it would have been obvious to use an elastomeric material as the biasing means in Bard's invention since it has been held within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious engineering choice. *In re Leshin*, 125 USPQ 416.

Rivin et al. teaches a clutch comprising a coiled spring to allow movement between the shaft and gear. Another embodiment may comprise an elastomeric member as the biasing means (abstract). Since both a coiled spring and an elastomeric member have been taught to be

interchangeable, it would have been obvious to use an elastomeric member as the biasing means in Bard's invention. Additionally, it has been held within the general skill of a worker in the art to select a know material on the basis of its suitability for the intended use as a matter of obvious engineering choice. *In re Leshin*, 125 USPQ 416.

5. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (USPN 5333353) in view of Kamada (USPN 5720073) and in further view of Sacks (USPN 5246724) and Taylor (USPN 5333353) in view of Kamada (USPN 5720073) and in further view of Rivin et al. (USPN 6003193).

Taylor teaches a mop wringer and bucket device, wherein the bucket is provided with slots (82) for guiding the vertical movement of the wringer with respect to the mop bucket. The wringer has downwardly extending extensions (80) that are to be received within the slots. The bucket also includes a handle (figure 12) and a curved portion (76) forming a pouring spout. The handle may be used to attach the device to a toilet or a sink basin. The bucket also includes a stepped bottom wall (66) and side walls with corners (figure 12). The wringer sits on three sides of the bucket thus forming a seal to prevent any liquid from leaking. Taylor teaches all the essential elements of the claimed invention however, Taylor fails to teach the specifics of the wringer. After examining Taylor's figures closely it can be seen that the wringer used comprises pressure jaws and vertical slots to guide the pressure jaws (figure 10). Kamada in view of Sacks and Kamada in view of Rivin teach a wringer having an upwardly opening for receiving a mop and is defined by front, rear and side (50a, 50b) walls. There are passageways that are on some of the walls to allow liquid to pass through (figure 9). There is a rack (30) which pressure jaws (40) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition

whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided with slots (56a, 56b) for vertically guiding the rack. A pinion (20) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastomeric spring means (76) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the wringer as taught by Kamada in view of Sacks and Kamada in view of Rivin in place of the wringer disclosed in Taylor, since it appears from the figures that the Taylor's wringer functions and is configured in essentially the same manner as Kamada in view of Sacks and Kamada in view of Rivin. Additionally, Kamada in view of Sacks' and Kamada in view of Rivin's wringer has an increased force from the pressure jaws to thoroughly squeeze liquid from the mop head.

6. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taylor (USPN 5333353) in view of Bard (USPN 2199906) and in further view of Sacks (USPN 5246724) and Taylor (USPN 5333353) in view of Bard (USPN 2199906) and in further view of Rivin et al. (USPN 6003193).

Taylor teaches a mop wringer and bucket device, wherein the bucket is provided with slots (82) for guiding the vertical movement of the wringer with respect to the mop bucket. The wringer has downwardly extending extensions (80) that are to be received within the slots. The bucket also includes a handle (figure 12) and a curved portion (76) forming a pouring spout. The handle may be used to attach the device to a toilet or a sink basin. The bucket also includes a stepped bottom wall (66) and side walls with corners (figure 12). The wringer sits on three sides

of the bucket thus forming a seal to prevent any liquid from leaking. Taylor teaches all the essential elements of the claimed invention however, Taylor fails to teach the specifics of the wringer. After examining Taylor's figures closely it can be seen that the wringer used comprises pressure jaws and vertical slots to guide the pressure jaws (figure 10). Bard in view of Sacks and Bard in view of Rivin teaches a wringer having an upwardly opening for receiving a mop and is defined by front, rear and side walls (figure 1). There are passageways that are on some of the walls to allow liquid to pass through (figure 1). There is a rack (19) which pressure jaws (16) are mounted to. The rack keeps the pressure jaws in a spaced apart horizontal disposition whereby vertical movement of the rack causes the pressure jaws toward and away from each other. At least one of the side walls is provided with slots (14) for vertically guiding the rack. A pinion (24) is affixed to a side wall of the wringer for effecting movement of the rack and the associated pressure jaws. An elongate elastomeric spring means (26) is attached to the at least one of the side walls and the pinion urging the pinion in a position to cause the pressure jaws to be moved away from each other. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the wringer as taught by Bard in view of Sacks and Bard in view of Rivin in place of the wringer disclosed in Taylor, since it appears from the figures that the Taylor's wringer functions and is configured in essentially the same manner as Bard in view of Sacks and Bard in view of Rivin. Additionally, Bard in view of Sacks' and Bard in view of Rivin's wringer ensures that the pressure jaws will remain in alignment and will act in a continuously smooth manner.



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***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L Balsis whose telephone number is presently 703-305-7275 and after December 16, 2003 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on 703-308-2920. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9310.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5665.

Slb

11/24/03

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